

## Message Text

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TO SECSTATE WASHDC 8254

INFO AMEMBASSY BUDAPEST

AMEMBASSY JAKARTA

AMEMBASSY TEHRAN

AMEMBASSY WARSAW

AMEMBASSY MOSCOW

USDEL JEC PARIS

C O N F I D E N T I A L SAIGON 11373

LIMDIS

E.O. 11652: GDS

TAGS: MARR VS VN

SUBJ: POLISH AND HUNGARIAN OBSTRUCTION

REF: A. STATE 128192; B. SAIGON 10926

1. INTRODUCTION. REF A SET FORTH THE MOST RECENT SPECIFIC CASES OF POLISH AND HUNGARIAN OBSTRUCTION AND NON-PERFORMANCE IN ICCS MATTERS. REF B CONTAINED A STATEMENT OF POLISH AND HUNGARIAN ARGUMENTS IN DEFENSE OF THIS BEHAVIOR AND A REFUTATION OF THEM. THIS MESSAGE WILL RECAPITULATE A LIST OF SUCH ACTS OF NON-PERFORMANCE AND OBSTRUCTION SINCE JANUARY OF THIS YEAR.

2. INVESTIGATIONS. THE POLES AND HUNGARIANS HAVE RAISED A SERIES OF PROCEDURAL BLOCKS TO THE RESUMPTION OF REGULAR FORU-PARTY INVESTIGATIONS, MAKING IT EVIDENT THAT THEIR MAIN OBJECTIVE IS TO PREVENT THE RESUMPTION OF SUCH INVESTIGATIONS ALTOGHETHER.

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A. THEY HAVE CONTINUED TO INSIST THAT INVESTIGATIONS BE CARRIED

OUT IN THE CHRONOLOGICAL ORDER IN WHICH THE COMPLAINTS WERE RECEIVED, A PROCEDURE WHICH WOULD MAKE THE INVESTIGATIONS OF MONTHS-OLD COMPLAINTS UNFEASIBLE AND THE RESULTS MEANINGLESS. THE IRANIAN DEL ESTIMATED AT THE ICCS MILITARY COMMITTEE MEETING OF AUG 13 THAT THERE IS A BACKLOG OF OVER 500 UNINVESTIGATED LETTERS OF COMPLAINT FROM THE TWO PARTIES.

B. WITH THE RELUCTANT ACCEPTANCE OF THE INDONESIANS AND IRANIANS, THE POLES AND HUNGARIANS INSIST ON THE REQUIREMENT OF LIAISON OFFICERS AND A SAFETY GUARANTEE FROM EACH PARTY FOR EACH INVESTIGATION. THIS IS AN EXTRA-LEGAL REQUIREMENT. IT IS BOTH UNNECESSARY AND UNFEASIBLE SINCE MOST CASES INVOLVE STAND-OFF ATTACKS BY FIRE (MANY AT EXTREME RANGES) AGAINST TARGETS IN SOLIDLY CONTROLLED GVN TERRITORY. THE INDONESIANS AND IRANIANS CONSIDER THIS REQUIREMENT TO BE QUITE UNNECESSARY AS DEMONSTRATED BY THEIR CONDUCT OF "OBSERVATIONS".

C. THE POLES AND HUNGARIANS, FINALLY PERSUADED TO PARTICIPATE IN ONE FORMAL INVESTIGATION OF THE SCHOOL YARD MORTARING AT CAI LAY IN MARCH, USED A MINOR STONE-THROWING INCIDENT AS AN EXCUSE TO STOP THEIR PARTICIPATION BEFORE THE INVESTIGATION WAS COMPLETED.

D. BY PROCEDURAL MANEUVERS THE POLES AND HUNGARIANS PREVENTED SEPARATE DISCUSSION IN PLENARY SESSION OF MAJOR GVN COMPLAINTS THIS LAST SPRING (SAIGON 5153).

E. WHEN THE "PRG" BROKE OFF TPJMC MEETINGS IN JUNE, THE POLES AND HUNGARIANS ORALLY INFORMED THE INDONESIAN AND IRANIAN DELS THAT THIS DEVELOPMENT WOULD RENDER THE COMMUNIST DELS UNABLE TO PARTICIPATE IN ANY INVESTIGATIONS (REF B). THEY THEN IN THE ICCS MILITARY COMMITTEE SESSION OF AUG 13 HAD THE GALL TO ASSERT THAT THE INDONESIANS AND IRANIANS HAD "AGREED" TO THIS VETO (SAIGON 10854). SINCE THEN THE COMMUNIST DELS HAVE CONTINUED TO OBJECT TO THE INDEPENDENT "NATIONAL OBSERVATION" TRIPS BY THE INDONESIANS AND IRANIANS EVEN THOUGH SUCH VISITS ARE PROVIDED FOR BOTH BY THE ICCS PROTOCOL AND THE ICCS OPERATING PROCEDURES (REF B).

F. ALL OF THIS HAS CONTINUED DURING A TIME IN WHICH THE NVA HAS CONFIDENTIAL

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SHARPLY INCREASED MILITARY ACTIVITIES, SHELLING TOWNS AND ATTACKING A SERIES OF GVN OUTPOSTS, THUS PROVOKING AN INCREASE IN THE FLOW OF GVN COMPLAINTS AND REQUESTS FOR INVESTIGATION BY THE ICCS.

3. DEPLOYMENT.

A. THE POLES AND HUNGARIANS, AFTER A SERIES OF ASSERTIONS LAST

WINTER THAT SIX TEAM SITES WHICH WERE THEN STILL OCCUPIED BY THEM WERE UNSAFE BECAUSE OF ARVN ARTILLERY ALLEGEDLY LOCATED TOO CLOSE NEARBY, EVACUATED CU CHI AND LAM SON IN JUNE (REF A).

B. THEY HAVE ALSO REFUSED TO RE-OCCUPY ANY OF THE TEAM SITES WHICH THEY EVACUATED IN 1973, ALTHOUGH SOME OF THE LATTER SUCH AS BAN ME THUOT HAVE BEEN AND ARE RELATIVELY QUIET AND THE INDONESIANS AND IRANIANS HAVE REMAINED IN THEM WITHOUT CASUALTIES OR EVEN NEAR MISSES.

C. THE POLES AND HUNGARIANS CONTINUE TO QUESTION WHETHER ACTIVE DEPLOYMENT TO BOTH REGULAR TEAM SITES AND "SECTION 4(D)" POINTS OF ENTRY IS MANDATORY IN THE ABSENCE OF TPJMC AGREEMENT DESPITE THE CLEAR TERMS OF THE PROTOCOL ON THIS POINT. (REF B).

4. SECRETARIAT ORGANIZATION. THE POLES AND HUNGARIANS HAVE, AFTER AGREEING TO IRAN'S PROVIDING A DIRECTOR GENERAL FOR THE SECRETARIAT, RECENTLY SLOWED DOWN THE URGENT WORK OF THE SECRETARIAT BY CHALLENGING THE ALLOCATION OF FUNDS BY THE DIRECTOR GENERAL AND INSISTING THAT THE LATTER'S ADMINISTRATIVE DECISIONS BE SUBJECT TO A VETO BY ANY ONE OF A "BOARD OF DIRECTORS" TO BE COMPOSED OF REPS OF ALL FOUR DELS, REMINISCENT OF THE SOVIET UNION'S ABORTIVE PROPOSAL FOR "TROIKA" ADMINISTRATION OF THE UN SECRETARIAT. AS AN IRANIAN DELEGATION OFFICER RECENTLY REMARKED, THIS WOULD VIOLATE THE FUNDAMENTAL ADMINISTRATIVE PROPOSITION THAT POWERS SHOULD BE COMMENSURATE WITH RESPONSIBILITIES.

5. FISCAL INFORMATION. THE POLES AND HUNGARIANS IN CONVERSATIONS WITH EMBOFFS HAVE RECENTLY INTERPRETED THE ICCS PROTOCOL AS NOT REQUIRING THE ICCS TO PROVIDE REGULAR STATEMENTS OF EXPENDITURES TO THE CONTRIBUTORS, DESPITE THE FACT THAT THE PROTOCOL DOES REQUIRE THE ICCS TO PROVIDE A BUDGET TO THE CONTRIBUTORS FOR CONFIDENTIAL

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THEIR APPROVAL AND THE BUDGET APPROVAL PROCESS FOR ANY SUCH ORGANIZATION LOGICALLY REQUIRES A SCRUTINY OF PAST AND PRESENT EXPENDITURES.

6. HANOI CONTRIBUTIONS. THE POLES AND HUNGARIANS HAVE REFUSED TO AGREE TO PRESS THE DRV/PRG, WITH WHOM THEY ARE IN CLOSE DIPLOMATIC CONTACT, TO PAY THEIR SHARE OF THE ICCS BUDGET (WHICH THE POLES AND HUNGARIANS HAD THEMSELVES HELPED PREPARE AND APPROVED). THE REPLY THAT SUCH QUESTIONS OF FINANCES MUST BE SETTLED BY THE SIGNATORY PARTIES (SAIGON 8406), WHICH IS A CONVENIENT EXCUSE AND SUPPORTIVE OF THE DRV/"PRG" DESIRE FOR MORE BARGAINING SESSIONS INVOLVING THE U.S.

7. PUBLIC STATEMENTS. POLISH GOVT SPOKESMEN (MORE SO THAN HUNGARIAN, AT LEAST RECENTLY) HAVE DELIVERED PUBLIC ATTACKS

AGAINST THE GVN, NOT MERELY IN THE FORM OF SPECIFIC ALLEGATIONS OF CEASE-FIRE VIOLATIONS, BUT ALSO IN THE FORM OF DENUNCIATIONS OF THE GENERAL NATURE OF "THE REACTIONARY SAIGON ADMINISTRATION" (SAIGON 9813). THE LATTER FORM OF ATTACK, WHICH THE INDONESIANS AND IRANIANS HAVE AVOIDED DELIVERING AGAINST ANY PARTY TO THE AGREEMENT, IS INCONSISTENT WITH THE POSITION OF AN INTERMEDIARY OR TRUCE SUPERVISOR.

8. CONCLUSION. THE DEPT WILL HAVE NOTED THAT FREQUENTLY WE REPORT IN A "WEEKA" THAT A GIVEN ICCS PLENARY SESSION WAS "INCONCLUSIVE". WHAT THIS USUALLY MEANS IS SIMPLY THAT THE INDODEL AND IRANDEL FOUGHT OFF ANOTHER BAG OF CONTRIVED PROCEDURAL PROPOSALS BY THE TWO COMMUNIST DELEGATIONS WHICH WOULD HAVE, IF ACCEPTED, FURTHER VITIATED THE INDEPENDENT INVESTIGATORY POWERS OF THE COMMISSION. CONVERSELY, WHEN THESE PLENARIES REACH OR CONFIRM A UNANIMOUS AGREEMENT, IT HAS USUALLY COST THE INDODEL AND IRANDEL SOME COMPROMISE OF PRINCIPLE IN WHICH THEY HAVE HAD TO GIVE WAY TO THE COMMUNIST DELS IN ORDER TO GET ANY ACTION STARTED.  
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